

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

UNITED STATES OF AMERICA
upon the relation and for the use of
the Tennessee Valley Authority

PLAINTIFF

V.

NO. 3:22-CV-26-DMB-RP

**TREE-REMOVAL RIGHTS WITH
RESPECT TO LAND IN DESOTO
COUNTY, MISSISSIPPI, and
LINDA B. STEWART, Trustee of
the Linda B. Stewart Living Trust,
dated February 7, 2006, as amended**

DEFENDANTS

JUDGMENT

In accordance with the order issued this day,

IT IS ORDERED AND ADJUDGED:

1. Defendant Linda B. Stewart, Trustee of the Linda B. Stewart Living Trust, dated February 7, 2006, as amended, shall recover from Plaintiff United States of America, upon the relation and for the use of the Tennessee Valley Authority, \$7,250 as the full and final amount of just compensation for the taking of the property rights herein condemned, which amount has been deposited by Plaintiff with the registry of this Court and the disbursement of which is provided for in paragraph 2 below.

2. The Clerk of this Court is authorized and directed to draw a check on the funds on deposit in the registry of this Court in the amount of \$7,250, payable to “Linda B. Stewart, Trustee of the Linda B. Stewart Living Trust, c/o Paul R. Scott, Esq.,” and to mail such check to Paul R. Scott, Esq., 2545 Caffey Street, Hernando, Mississippi 38632 in full satisfaction of this Judgment.

3. The vesting of title in the United States of America, free of all liens, claims, and

encumbrances, as evidenced by the Declaration of Taking filed herein on February 9, 2022, Doc. #2, is hereby fully and finally confirmed with respect to the following-described property rights, such description being the same as in Attachment 1 to the Declaration of Taking filed herein, Doc. #2-1:

Tree-removal rights with respect to land located in DeSoto County, Mississippi described in a deed recorded in Deed Book 522, page 1, in the office of the Chancery Court Clerk of DeSoto County, Mississippi, which description is incorporated herein by reference and made a part hereof. Said rights consisting of the perpetual right to remove, cut down, destroy, and/or otherwise dispose of any trees which in falling could come within five feet of any line, structure, appurtenance, facility, or conductor (including structures and conductors being on and over adjacent land), the Tennessee Valley Authority (TVA) to remain liable for any direct physical damage to said land and fences thereon resulting from operations by and on behalf of the TVA in the exercise of said rights.

TRACT NO. MWND-3A-CR

The perpetual right to enter at any time and from time to time the land of Linda B. Stewart, Trustee of the Linda B. Stewart Living Trust, dated February 7, 2006, as amended, and clear, remove, destroy, or otherwise dispose of as necessary any trees, which in falling could come within 5 feet of any line, structure, appurtenance, facility, or conductor on the Olive Branch – DeSoto Rd. Transmission Line Tap To Mineral Wells Tap to North DeSoto, Mississippi Substation, as shown on Drawing LW-5463, Sheet P10DCCA, R.3; said land lying south of and adjacent to the southern property line of Joel I. Stewart, Trustee of the Joel I. Stewart Living Trust et al. The land affected by the clearing rights begins at a point 82.09 feet left of the centerline of the transmission line location at survey station 11+82.15 and extends in a westerly direction to a point, the said point being a common corner in the lands of Focal Point Investment, LLC, the said point being S. 34° 53' 16" W., 93.07 feet from a point of intersection on the centerline of the location at survey station 21+74.37, and located in Section 20, Township 1 South, Range 6 West of Desoto County, Mississippi.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structures located at survey station 12+81.17 and 21+74.37.

Record landowner as of the date of the filing of the Declaration of Taking — Linda B. Stewart, Trustee of the Linda B. Stewart Living Trust, dated February 7, 2006, as amended (Deed Book 522, page 1, in the office of the Chancery Court Clerk of DeSoto County, Mississippi)

4. The Clerk of this Court shall furnish to Plaintiff a certified copy of this Judgment

which shall serve as a muniment of title.

SO ORDERED, this 22nd day of August, 2022.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE